

170 A
COPY OF THE OATH

TAKEN AND SUBSCRIBED

BY THE

MEMBERS

OF THE

First Legislative Assembly,

CONVENED IN NOVA-SCOTIA,

IN THE REIGN OF HIS LATE MAJESTY KING GEORGE II. AND WHICH IS
CONTINUED TO BE ADMINISTERED TO THE PRESENT TIME, WITH
THE ONLY DIFFERENCE OF SUBSTITUTING THE NAME OF
THE REIGNING SOVEREIGN FOR THAT OF GEORGE,

WITH A FEW

NOTES AND COMMENTARY THEREON.

"As regarded himself, the repeal of the Test Oath would relieve him from the necessity of taking an oath, which he had never done when offered to him, but with great reluctance. * * * * Every man ought to be permitted to worship God in that way which his conscience dictated: and when he did so, it was contrary to every principle of justice, and hostile to every feeling of generosity that he should be stigmatised with any badge of disgrace."—Speech of Richard J. Uniacke in the House of Assembly, Feb. 20, 1827.

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OATH

*For the Members of the House of Representatives, their
Ministers, Officers, Attendants, and all others
whom it may concern,*

WE, the Subscribers underwritten, Liege Subjects to our Sovereign Lord George the Second, by the Grace of God of Great Britain, France, and Ireland, King, defender of the Faith and so forth, Do Testify and declare before God and the world our Loyalty and Integrity to our said Sovereign Lord the King, in conformity to the Oaths administered to us, and the Declaration subscribed—viz.

I do sincerely Promise and Swear that I will be faithful and bear true Allegiance to His Majesty King George the Second. So help me God. (a)

I do swear that I do from my Heart, Abhor, Detest and Abjure as Impious and Heretical that Damnable Doctrine and Position that Princes excommunicated or deposed by the Pope or any authority of the See of Rome may be deposed or murdered by their subjects or any other whatsoever. And I do declare that no Foreign Prince, Person, Prelate, State, or Potentate, hath or ought to have any Jurisdiction, Power, Superiority, Pre-eminence or Authority ECCLESIASTICAL or SPIRITUAL within this realm. So help me God. (b)

I do truly and sincerely acknowledge, Profess, Testify and Declare in my conscience before God and the World, That our Sovereign Lord King George the Second is Lawful and Rightful King of This Realm and all other His Majesty's Dominions and Countries thereunto belonging. And I do solemnly and sincerely Declare that I do believe in my conscience that the Person pretended to be Prince of Wales during the life of the late King James, and since his decease pretending to be and taking upon himself the style and title of King of England by the name of James the 8th or the style and title of King of Great Britain hath not any right or title whatsoever to the Crown of this realm or any other the dominions thereunto belonging, and I do Renounce, Refuse and Abjure any allegiance or obedience to him. And I do swear that I will bear faithful and true allegiance to His Majesty King George the Second, and Him will defend to the utmost of my power against all traitorous conspiracies and attempts whatsoever which shall be made against his Person, Crown, or Dignity. And I will do my utmost endeavours to disclose and make known to his Majesty and his successors all Treasons and Traitorous Conspira-

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cies which I shall know to be against him or any of them. And I do faithfully promise to the utmost of my power to support, maintain and defend the succession of the Crown from him the said James and all other persons whatsoever, which succession, by an Act entitled an Act for the future Limitation of the Crown and better securing the rights and liberties of the subjects, is and stands limited to the Princess Sophia, Electress and Dutchess Dowager of Hanover and heirs of her body being Protestants, and all these things I do plainly and sincerely acknowledge and swear according to these express words by me now spoken, and according to the plain and common sense and understanding of the same words, without any equivocation, mental evasions or secret reservations whatsoever, and I do make recognition, acknowledgment, abjuration, renunciation and promise heartily, willingly and truly, upon the true faith of a Christian. So help me God.

I do solemnly and sincerely in the Presence of God, profess, testify and declare that I do believe that in the Sacrament of the Lord's Supper there is not any transubstantiation of the elements of bread and wine into the Body and Blood of Christ at or after the consecration thereof by any person whatsoever, and that the Invocation or adoration of the Virgin Mary or any other Saint, and the Sacrifice of the Mass as they are now performed in the Church of Rome are superstitious and idolatrous. (c) And I do solemnly, in the presence of God, profess, testify and declare that I do make this declaration and every part thereof in the plain and ordinary sense of the words read unto me as they are commonly understood by English Protestants without any evasion, equivocations or mental reservation whatsoever, and without any dispensation already granted to me for this purpose by the Pope or any other authority or person whatsoever, or without hope of any such dispensation from any Person or Authority whatsoever, or without thinking that I am or can be acquitted before God or Man or absolved of this declaration or any part thereof, although the Pope or any other person or persons or power whatsoever should dispense or annul the same or declare that it was null and void from the beginning.

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NOTES:

(a) ON THE OBLIGATION OF AN OATH.—“ Catholics are charged that they are not bound by any Oath, and that the Pope can dispense them from all the Oaths they may have taken.

“ We cannot sufficiently express our astonishment at such a charge. We hold that the obligation of an Oath is most sacred; for by an Oath man calls on the Almighty searcher of hearts to witness the sincerity of his conviction of the truth of what he asserts, and his fidelity in performing the engagement he makes. Hence, whosoever swears falsely or violates the engagement he has confirmed by an Oath, not only offends against truth and justice but against religion. He is guilty OF THE ENORMOUS CRIME OF PERJURY.

No power in any Pope or Council, or in any individual or body of men invested with authority in the Catholic Church can make it lawful for a Catholic to confirm any falsehood by an Oath; or dispense with any Oath, by which a Catholic has confirmed his duty of allegiance to his Sovereign, or any obligation of duty or justice to a third person. He who takes an Oath is bound to observe it, *in the obvious meaning of the words, or in the known meaning of the person to whom it is sworn.*”—[Declaration of the Catholic Bishops, the Vicars Apostolic, and their coadjutors in Great Britain.

(b) Although many have “ according to the plain and common sense understanding of the words, and without any evasion, equivocation or mental reservation whatsoever” sworn to the above, no rational man would in the face of any intelligent Catholic *assert it as a fact*, because every man knows that wherever there is a community of Catholics, there an *Ecclesiastical* and *Spiritual* authority in the Pope is by them acknowledged and obeyed and by him exercised, and it may be easily conceived how the common enemy of mankind with demonic exultation laughs to scorn the being who makes such an impious invocation of the “ Almighty searcher of hearts to witness the sincerity of his conviction of the truth of what he asserts,” when the falsehood of the assertion is as manifest as is the sun at noon day.

“ It is admitted by all parties that at the commencement of the Reformation there was a Church in England which had existed here ever since the first conversion of its inhabitants to Christianity, (of which the Pope was the spiritual head). Was that Church a living branch of the true Apostolic Church of Christ, or not? They reply without hesitation that she was; and, he it observed, they are compelled so to reply, for without such admission what would become of their alledged claim to Apostolical succession? Without it, how could the Anglican Bishops of the present day shew that by ordination they derive their Mission from the Apostles and our Lord? Without it, how can every Bishop, Priest and Deacon trace his own spiritual descent from Saint Peter and Saint Paul? If you reject that Church, the chain is broken—you may go back to your female head, Elizabeth, or to her father, Henry: but there you stop—a chasm of fifteen hundred years opens between you and the Apostles.”

Hence then if the Anglican Bishops are the successors of the Apostles, the Pope once had *Ecclesiastical* or *Spiritual* authority within the Realm, and as such authority is what no man can give so no man can take away, therefore the authority he once had he has always and

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will have, because He who is truth itself and sent his disciples to teach all nations, promised his Church to be with her always even to the consummation of the world.—[Q. E. D.]

(c) That the doctrine of Transubstantiation, the Invocation of Saints, and of the Virgin Mary, and the sacrifice of the Mass as they are now performed in the Church of Rome are superstitious and idolatrous, is at best but a matter of *belief*, upon which a difference of opinion exists even amongst Protestants, as will be shewn; however, those who believe they are so, might if they would, swear it, according to their BELIEF, but those who swear it as a FACT, swear upon an assumption for which they can shew no *Data*, to a thing which is contrary to what was the FAITH of the WHOLE CHRISTIAN WORLD during the first fifteen hundred years of Christianity, and was, and is, the FAITH of a vast majority of Christians of all nations during the subsequent, and at the present time; and which is concurred in by many learned Protestants, as for instance—

"When we look back upon past ages," says Hurten, the Protestant Historian of Innocent III. "and behold how the Papacy has outlived all other institutions, how it has witnessed the rise and wane of so many States; itself amid the endless fluctuations of human things, preserving and asserting the self-same unchangeable spirit,—can we wonder that many look to it as the rock which rears itself unshaken amid the beating surges of time?"

"The Catholic FAITH, if we concede its first axiom, which neither the Lutherans, nor the Reformed, nor even the followers of Socinus denied, is as consistent and as consecutive as the books of Euclid. The entire Romish religion is founded on the fact of a supernatural revelation, designed for the whole human race; which, as it embraces all generations, future, as well as present, can never be interrupted; otherwise the sublime work, accomplished by the God-man, and sealed by his blood, would be exposed, which is contrary to the hypothesis, to suffer, and eventually to perish, by the weakness and errors of man. These consequences of the first principles are indisputable; and there is not a single article of the Catholic belief, which is not justifiable by the closest deduction from this principle."

"We Protestants as we are, when we take in at one view this wondrous edifice, from its base to its summit, must acknowledge that we have never beheld a system, which, the foundation once laid, is raised upon such certain and secure principles; whose structure displays, in its minutest details, so much art, penetration and consistency, and whose plan is so proof against the severest criticism of the most profound science."

The above is one of "eighteen hundred and eighty-seven" Protestant authorities cited by Doctor Honinghaus (himself a Protestant) as evidences in favour of that Church whose Faith and Practices are sworn to be "*superstitious and idolatrous*." Now by way of contrast is put, the following quotation from the late Wm. Cobbett, a Protestant also, "*Two true religions, two true creeds, differing from each other, present us with an impossibility? What then are we to think of twenty or forty creeds, each differing from the rest? What is the natural effect of men seeing constantly before their eyes a score or two of sects, all calling themselves Christians, all tolerated by the law and each openly declaring all the rest false? The natural, the necessary*

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effect is, that many men will believe that none of them have the truth on their side; and of course that the thing is false altogether, and invented solely for the benefit of those who dispute about it."

"Whether the Catholic be the true religion or not, we have not now to enquire, but, while its long continuance, and in so many nations too, was a strong presumptive proof of its good moral effects upon the people, the disagreement among the Protestants was, and is a presumptive proof not less strong of its *truth* if there be forty persons who, and whose fathers, up to this day have entertained a certain belief; and if thirty nine of those persons say at last that this belief is erroneous, we may naturally enough suppose, or at least, we may think it possible, that the truth, so long hid, is at last come to light. But if the thirty-nine begin—aye, and instantly begin, to entertain instead of the *one* old belief *thirty-nine new beliefs*, each one differing from all the other thirty-eight, must we not, in common justice, decide that the old belief must have been the true one. What, shall we hear these thirty-nine men protest against the ancient faith *EACH protesting against all the other thirty-eight*, and yet believe that their joint protest, was just? Thirty-eight of them must now be in error, this *must* be; and are we still to believe the correctness of the former decision, and that too relating to the same identical matter? Thus the argument would stand, on the supposition that thirty-nine parts out of forty of all Christendom had protested; but there were not, and there are not even to this day, two parts out of fifty. So that here we have thirty-nine persons breaking off from about two thousand, protesting against the faith which the whole of their fathers held. We have each of these thirty-nine protesting that all the other thirty-eight have protested upon false grounds, and yet we are to believe that their joint protest, against the faith of the two thousand who are backed by all antiquity, was wise and just! Is this the way in which we decide in other cases?"

THE QUEEN'S DECLARATION AGAINST POPERY.—[The following letter to the Lord Chancellor on "the Declaration" made and subscribed by her Majesty, previously to the delivery of the royal speech on opening of parliament, excited some sensation among the political circles of the metropolis at the time. Rumour points to Doctor Lingard as its author, and certainly there is much in the pregnant and closely-reasoned character of the production to favour the opinion.—*Lancaster Gazette*.]—My Lord—At the opening of parliament, our gracious Queen, as she was bound to do by law, made and subscribed "The declaration against popery," in presence of the Lords and Commons of the United Kingdom. It was a novel and impressive spectacle, witnessed probably by many with feelings of joy and triumph, but calculated to suggest to men of more sober judgment, abundant matter for deep and painful reflection. The latter lamented to see a young and female sovereign brought forward to act such a part at so early an age. For the declaration, let it be observed, is not a mere profession of belief in the doctrines of another: it goes much further: it condemns in the most solemn manner the worship

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did practices of the greatest body of Christians in the world, and assigns to them, with out any redeeming qualifications, the epithets of superstitions and idolatrous. Now it was thought both cruel and indecorous to exact such declaration and condemnation from the Queen on that occasion, considering on the one hand her youth, and on the other the diligence of inquiry and the maturity of judgment which the proceeding on her part presupposed. For certainly it will not be denied that, before a man may safely and consistently affix the stigma of superstition and idolatry on any church, it is incumbent on him to make the doctrine and worship of that church the subjects of his study, to be satisfied that he understands them accurately, and to weigh with impunity the texts and arguments by which they may be assailed and defended. But who can expect all this from a young woman of eighteen?—Neither was it only cruel and indecorous with respect to the Queen, it was ungracious also to a most numerous portion of her people. Of all the insults which may be offered to a man in his character of a Christian, the most offensive, by far, is to brand him with the infamous name of an idolator. Yet this odious imputation was our young and amiable sovereign compelled to cast on the whole body of Roman Catholics in England, Scotland, Ireland, and her transmarine dominions, a body comprising at the lowest computation nine millions of her subjects, equally abhorrent of idolatry, equally sincere in the worship of the only true God, with the most zealous and saintlike of those who are attached to any other form of divine service. Nor was this all. The declaration comprehends in its sweeping censure the whole Roman catholic world; and, therefore, by it the Queen was made pronounce her beloved friend, the royal consort of her uncle of Belgium, an idolater; her sister Queens of Spain and Portugal, idolaters; her ally, the King of the French, an idolater. Of the parties to the quadruple alliance, all but herself are, in the meaning of the declaration, idolaters. Can she hope for the blessing of the Almighty on such an alliance! But the fault was not in her; she acted by the advice of her counsellors, and under the controul of an act of parliament. The fault lies in the system—a system which originated in passion or policy during a period of religious excitement, but which has long been giving way before the gradual developement of more tolerant principles. The declaration was at first imposed on all, as a necessary qualification for a seat in parliament, or for admission to office; now it is imposed on Protestants only. Then it operated to the entire exclusion of the Roman Catholics; now, with the aid of a different test, Roman Catholics have free access to the senate and the magistracy, to the courts of law and the offices of state. For what objects, then, it may surely be asked, is the obligation of taking and subscribing this obnoxious form still retained? As a security for the Protestant worship? But it offers none; none on the part of the Sovereign; for there cannot be a man so obtuse as to believe that the Queen was either less a Protestant before, or become more a Protestant after she had subscribed the declaration—none on the part of persons admitted to office or authority; for office and authority are as completely thrown open to the Roman Catholics as if the declaration were a mere nullity. For what end then is it still retained? Certainly not that it may produce mischief by generating heart-burnings, and misunderstandings, and divisions among a people, whose greatest strength must lie in their

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union. Yet such is its obvious tendency, though the evil may, in numerous instances, be mitigated by the influence of civilization, and of personal character. Dissension must prevail as long as one class of subjects shall be authorised to arrogate to themselves the proud and exclusive claim of purity of worship, and to look down on the other class as men living in the habitual practice of idolatry, a crime accused both of God and man. The persons called upon to make and subscribe this declaration, may be divided, First, into those who, having previously inquired, have come to the conclusion that the doctrines and worship of the Roman Catholic church are superstitious and idolatrous: who nevertheless must hesitate, if they reflect that the same inquiry has been made, and the opposite conclusion has been drawn by persons equally competent to form a correct judgement with themselves; Secondly, into those who perform the act as a matter of course, without suspicion or consideration; who, however, should be conscious that it is no justification of a doubtful action, to allege that the same has also been done by others; Thirdly, and into those who, aware of the difficulties with which the declaration is beset, make it indeed, but make it not without reluctance, and many misgivings. By all in the third class, and by many in the other two, it is presumed that the abolition of such a qualification for office would be accepted as a measure of relief. Why then, it may again be asked, is this form, so revolting to the feelings of some, so distressing to the consciences of others, so unproductive of benefit to any, suffered to remain on the statute book? Why should not the Legislature of this kingdom be content with that which has been found amply sufficient for the purposes of government in every other kingdom of Europe; that is, with a test of civil allegiance as a qualification for office in the state? No reasonable man can require more.

From the Acadian Recorder, January 30, 1841.

As the time is fast approaching when the Legislature is to meet, and members will be called upon to 'take the oaths and their seats,' the present is the proper time to bring the subject of "oaths" before the public, in order that it may receive as extensive a consideration as is possible, and public opinion be brought to bear upon it. But as any thing the writer would be able to say, must fall infinitely short in point and effect of what the Right Rev. Dr. Doyle wrote upon the same subject in 1825, and which is as applicable to the present time, as it was to the time past, he takes the liberty of using the work of the learned prelate, and of quoting it as follows:—

"There is no Protestant holding or administering any office, or entering any learned profession in these countries, who must not, in order to prove his loyalty, declare in the presence of God his belief that 'the pope has not nor ought to have, any jurisdiction, power, superiority, pre-eminence or authority, ecclesiastical or spiritual, within this realm.' Were such a declaration a mere form of words, it would only be ridiculous; but when the awful name of God is interposed it becomes terrifying, and is certainly a burthen too heavy for a conscientious man to bear. Were I a Protestant, I would forego the highest dignity in the state rather than make such a declaration. Whether the Pope ought or ought not to have spiritual authority within this realm, is a question which depends on that other—whether he be or be not the head of the Catholic Church; for if he be, it is manifest that wherever there are Catholics, he must have jurisdiction over them; and as there are several millions of them within this kingdom

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his spiritual authority necessarily extends to them all. But leaving this question how can a man declare that he has not jurisdiction in this realm, whereas his having it, and exercising it, is as notorious as the existence of the sun at noon?

"I can therefore discover no reason why a man can swear that the pope has not jurisdiction within this realm. IT IS NOT A QUESTION OF RIGHT, BUT A MATTER OF FACT. I think a true Protestant might, if there were a just cause, call God to witness that he does not believe that the Pope ought to have jurisdiction in this country; but to declare solemnly before God, his belief that the Pope has not such jurisdiction---a jurisdiction constantly exercised by him---requires a degree of indifference about oaths and declarations, which unhappily is but too general, but which certainly should not be encouraged by those in authority: still less should such suspected intercourse with heaven be rendered necessary to enable a man to enter into office, or step inside the portals of the constitution.

"Man, on entering into society, is master of his own mind and conduct; when he attaches himself to a community he does not become its slave, but only a member of it, contracting with it, as it were, and giving to it or engaging to give to it, a certain portion of his goods and services, for the protection and advantages which it can afford him in return. There are two contracting parties, the individual and the society; both are independent, free, and possessed of something valuable, for which, on contracting, each requires a consideration. If this be the case, as is allowed by all who are acquainted with the great principles of law, why should a member of society be required to give more than is just for that to which he becomes entitled?—why should he be required to give to the other party what "not enricheth him who receives, but makes him who gives it poor indeed?"—Why should he be required to surrender those internal thoughts and volitions which are peculiarly his own, by which he holds converse with the Deity, and which have no connection with those ends and purposes for which society is constituted? Is it not enough that he engages to labour for his country; to give to her a portion of the fruits of his industry; to employ for her his wisdom and his talents; and to shed, if necessary, his blood in her defence? Should she require more, she is unjust, selfish, mercenary; she seeks not to act the part of a just dealer, but of a Jew, who will not lend his money unless at usury, and advances his charge in proportion to the distress of the applicant. There is not, therefore, a right in Government to exact of the subject more than a sufficient pledge of his allegiance. If our Government has been justified in requiring of its subjects to exhibit certain marks of this or that religion, or to disclaim particular doctrines or opinions, the right of doing so has not, or cannot have arisen, from the nature of the social compact, but from certain accidental or temporary occurrences. Let these accidents cease, and the right of the Government to enforce such marks or disclaimers ceases with them. Hence it is that I cannot sufficiently express my surprise at hearing men say that our constitution is essentially Protestant: no civil constitution can be essentially either Catholic or Protestant, for we might all become Pagans or Turks and the constitution remain untouched. Constitution means the fundamental laws of any state; the fundamental laws of ours are chiefly usages and some old charters, to which, in time, other laws were added. These have subsisted in Catholic and Protestant times; some of them were in use before we were either Catholics or Protestants: but to say that certain laws made in the seventeenth century are fundamental, so that they can undergo no change, is really unworthy of a wise and learned man.

"To say that the State does not punish by exclusion is absurd, not only because exclusion is infamy, but also because it is a positive and substantial loss to the persons excluded, and a positive and direct injustice in the party excluding; it is so, because the Government has no property in the administration of public affairs; they are only the trustees of the community, bound in the strictest justice to assess the public burthens, and distribute the public honours and advantages impartially. If, therefore, they impose burthens on a certain class, and withhold from them all distinction and emolument, without a sufficient cause, they are evidently guilty of doing such party a wrong.

"The Redeemer has laid down in a few words the principles which regulate our spiritual obedience. 'My kingdom,' he says, 'is not of this world.' And 'For this I came into the world, to give testimony of the truth' And again, 'Give therefore to Caesar the things that are Caesar's, and to God the things that are God's.' It is in the kingdom of Christ, which is the Church, that we acknow-

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ledge the Pope, to rule as his vicar or deputy, and we profess to be faithful and attached to him as children to a father, and submissive to him when he administers, or executes the laws of God or of the Church; but as the power of the State is derived from God, and totally independent of the Church, we recognise in the Pope no authority whatsoever to interfere with it. Should he presume to intermeddle with the rights of our prince, or with the allegiance which we owe to him, our answer, so often given, not only in words but in works, would be: 'Your kingdom is not of this world, he who intrusted the Church to you,' as the great Osius expressed it, 'has committed the State to our Sovereign, and has commanded us to give him all his rights—our fidelity and obedience, our lives and fortunes; this is the law of Christ, and we must obey God rather than men.'

"The oath and declaration taken by Protestants proceed to set forth, that 'there is not any transubstantiation of the elements of bread and wine into the body and blood of Christ, at or after the time of consecration thereof by any person whatsoever; and that the invocation or adoration of the Virgin Mary, or any other Saint, and the sacrifice of the Mass, as they are now used in the Church of Rome, are superstitious and idolatrous.'

"This portion of the oath and declaration, though not partaking of any political character, and introduced chiefly through religious spleen, is more painful to a man of upright conscience than even the former part, and to read it merely is sufficient to show how well it is calculated to suppress peace, and foment ill-will between members of the same community.

"I will say nothing of what our Church teaches on the subject of transubstantiation, having discussed it in my 'Defence of the vindication of the Irish Catholics'; but I am bold to say, that no man who reads Doctor Parker's (the Bishop of Oxford) 'Reasons for abrogating the Test,' will swear or declare to God, without pain, 'that he believes there is not any transubstantiation of the bread and wine at or after the time of consecration.' But admitting that there is not, how can an appeal to heaven on such a subject be justified? Whereas, we should not only suppose, but know, (and knowledge, according to Locke, implies certainty,) that what we swear is conformable to truth.

"I have heard that when my Lord Grey, and I believe General Thornton, brought forward this subject in the houses of Parliament, to which they respectively belong, it was observed by many members that the declaration was exceedingly objectionable, but that it was taken with a certain intention, or in a sense different from that conveyed by the words which compose it; but besides that, mental reservations and equivocations are not only unworthy of gentlemen and Christians, but expressly excluded in the declaration itself, I cannot conceive why a form of words, impious perhaps in their tenor, dubious in their sense, useless or unnecessary as a test of religious faith, but above all, provokingly offensive, and even insulting, not only to the Catholics of the empire, but to the whole Catholic world, should, through indolence or bigotry, be let to remain on the statute-book. Lord Eldon or the Bishop of Canterbury may be able to account for it, but to a person unacquainted with state secrets, or feeling a reverence for the awful name of God, or being attached to the simplicity of truth, it is, indeed, inexplicable.

"What will become of the Church? Why what matter what becomes of the Church; let her fare like every other institution; let her stand or fall by her own merits. If her establishment be useful to the country, let it continue and flourish; if not, let it go in the way of all flesh. Religion does not depend on an Establishment, and if she be pruned of her excrescences, she will only be the more useful. But why put her in the scale against the interests of a nation?"

When Mr. O'Connell was, previous to the passing of the so-called Emancipation Bill, returned to Parliament, or rather say sent, for it is a misapplication of the term to say returned to represent the County Clare, the 'oath' were tendered to him, which of course he refused, and stated his objection by saying—"they contain two things to which I object, one as a matter of fact which I know to be false, and one as a matter of opinion which I believe to be untrue;" it need hardly be added that of course he was not admitted to his seat.

There are some gentlemen who will upon the coming occasion be called upon to "take the oaths," who are practising Barristers, and who in the exercise of their profession are in the habit of examining witnesses in Court as to

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matters of fact. To them it may be said, suppose a witness were produced in court to testify to a *fact* of which he had no more *certain knowledge* than the members elect have of transubstantiation in the Eucharist; after he had given his evidence might not the Judge say to him, with propriety, as the late Lord Norbury once did to a perjured witness, "really, sir, you may be a very respectable man, but you have done yourself no credit to-day, go down, sir?" And would it not be his duty to say to the Jury in his charge to them, "Gentlemen the witness has only testified to his *belief*, that is not sufficient, we must have his *knowledge* of the facts to which he has sworn; you must therefore in making up your verdict discharge the testimony of this witness altogether from your minds?"

Catholics have a difficulty to reconcile to themselves the propriety of voting at the Hurlings for candidates whom they know will take what is commonly called the "long oath," inasmuch as they are placing them in a condition in which they will inevitably, according to the belief of Catholics, commit a mortal sin; therefore Catholics, who consider this, are accessories, and before the fact too, and consequently, participants in their common guilt.

There are nine ways in which one may be guilty of another's sin, and although it is not absolutely necessary for the subject to recite them here, yet it may as well be done 'for the benefit of the country members;' they are first by *counsel*, second by *command*, third by *consent*, fourth by *provocation*, fifth by *praise or flattery*, sixth by *partaking*, seventh by *concealing*, eighth by *silence*, ninth by *defence of the ill done*.

It might be ungracious to raise scruples in the minds of conscientious members, if there were no alternative for them, but to take the "oaths" or lose their seats; but that is not the case; there are Protestant members in the House of Commons, who were admitted upon taking the 'oath' prescribed to be taken by Catholics; and there are Protestant Barristers, practising at the English and Irish bar, who entered upon their profession, having taken the same oath; being no longer marked out as black sheep, nor proscribed the honors, nor the emoluments of office, for having done so. Hence then, there is no plea of necessity, and the most charitable excuse, that can be made for them, who will in these times, persist in taking the 'long oath,' is to say of them, what was said of the persecuting Jews, "they know not what they do!" Oh! but they have the evidence of their own senses! what presumption in man—poor miserable circumscribed man, who does not even know the conformation of his own person—who ought to be as humble as the dust beneath his feet, for he is, as fleeting as the passing cloud—to set a limit to the power of the Deity. Let him but take a strait stick and put one end of it in water and to his sense of sight 'twill appear crooked, and yet he knows that it is strait; if then the evidence of his senses, is deceptive in this little matter what presumption again, it is, 'when the Lord, the day before he suffered, took bread into his holy and venerable hands and with his eyes lifted up towards heaven gave thanks to the Almighty God his father, blessed it, and broke it, and gave it to his disciples saying, take and eat ye all of this FOR THIS IS MY BODY, to swear that because it does not appear so to man's senses, that he did not mean what he said, and that therefore the belief of countless millions of intelligent and rational beings of all nations, and all ages, from the preaching of Christ's gospel first, to this hour, and which will continue until he who descended from Heaven 'to teach all truth' and promised to be with his church 'always even to the consummation of the world,' 'shall come again with glory to judge both the living and the dead' is 'idolatrous and damnable.' There is something in the picture that makes it too horrifying to contemplate.

The pride of consistency will often make men err, and some who having once taken the 'oaths' may think that for the sake of consistency they are bound in all other things as often as occasion shall require, to do so again, but let them remember, that 'there is more joy in Heaven for one repenting sinner than for ninety-nine just who need not repentance.'

HIBERNICUS.

